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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MIYOKO'S KITCHEN,

Plaintiff,

v.

KAREN ROSS, in her official capacity
as Secretary of the California
Department of Food and Agriculture,
and STEPHEN BEAM, in his official
capacity as Branch Chief of the Milk
and Dairy Food Safety Branch,

Defendants.

Case No. 3:20-cv-00893-RS
Hon. Richard Seeborg

**STIPULATION AND ORDER
SETTING BRIEFING
SCHEDULE ON DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

Current date: April 29, 2021

Time: 1:30pm

Courtroom: 3

Trial Date: August 23, 2021

Action Filed: February 6, 2020

STIPULATION

WHEREAS, the defendants filed their motion for summary judgment (ECF No. 52) on December 10, 2020,

WHEREAS, on December 22, 2020, the Court adopted the parties' stipulated briefing schedule on the motion for summary judgment (ECF No. 54),

WHEREAS, Miyoko's Kitchen's cross-motion for summary judgment and opposition to the defendants' motion for summary judgment is currently due on March 1, 2021,

WHEREAS, the current briefing schedule will not allow Miyoko's to adequately present its arguments and evidence on summary judgment, particularly in light of counsel's other matters, and Miyoko's therefore requests a two-week extension, until March 15, 2021,

WHEREAS, to facilitate an orderly briefing schedule, the defendants agree to the requested extension on the condition that they receive a one-week extension of the deadline for their reply in support of summary judgment and cross-opposition, until April 5, 2021,

WHEREAS, the proposed briefing schedule below preserves the two-week period between the deadline for the reply brief and the hearing date, which remains unchanged and scheduled for April 29, 2021,

THE PARTIES STIPULATE TO AND JOINTLY REQUEST THE COURT TO ORDER the following schedule for briefing the motion for summary judgment:

Plaintiff's Opposition/Cross-Motion Due: March 15, 2021

Defendants' Reply/Cross-Opposition Due: April 5, 2021

Plaintiff's Cross-Reply Due: April 15, 2021 (unchanged)

Hearing on Motion and Cross-Motion: April 29, 2021 (unchanged)

1 Dated: February 23, 2021

Respectfully submitted,

2 /s/ Michael S. Dorsi
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8 As the attorney e-filing this document,
9 Neil K. Sawhney attests that
10 Michael S. Dorsi concurred in
the filing of this document.
11 /s/ Michael S. Dorsi

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ORDER

Plaintiff Miyoko's Kitchen and Defendants Karen Ross, in her official capacity as Secretary of the California Department of Food and Agriculture, and Stephen Beam, in his official capacity as Branch Chief of the Milk and Dairy Food Safety Branch, stipulated to a briefing schedule on Defendants' motion for summary judgment. The parties attest that they prefer this schedule and that the schedule preserves the two-week period between the deadline for the reply brief and the hearing date. Accordingly, the Court finds good cause and adopts the proposed schedule for briefing on the motion under Northern District of California Local Rule 6-1(b):

Plaintiff's Opposition/Cross-Motion Due: March 15, 2021


Defendants' Reply/Cross-Opposition Due: April 5, 2021

Plaintiff's Cross-Reply Due: April 15, 2021

Hearing on Motion and Cross-Motion: April 29, 2021

IT IS SO ORDERED.

Dated: 2/23, 2021


HON. RICHARD SEEBORG
CHIEF UNITED STATES DISTRICT
JUDGE